

# United States District Court

EASTERN DISTRICT OF TEXAS  
PARIS DIVISION

UNITED STATES OF AMERICA

vs.

BENNY HAROLD WAGGONER(3)

§  
§  
§  
§  
§

Case No. 3:03cr11  
(Judge Schell)

## MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the above-referenced criminal action, this Court having heretofore referred the request for the revocation of Defendant's supervised release to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order and the parties' waiver of right to file objections, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts same as the findings and conclusions of the Court. It is therefore,

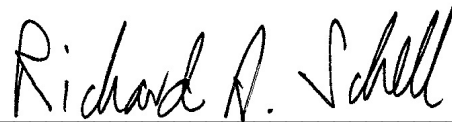
**ORDERED** that the Magistrate Judge's Report is **ADOPTED** as the opinion of the Court.

It is further

**ORDERED** that Defendant's supervised release is hereby **REVOKED**. It is further

**ORDERED** that Defendant is sentenced to a term of imprisonment of six (6) months with thirty-six (36) months of supervised release to follow. The Court recommends that Defendant be housed in the Bureau of Prisons, Seagoville Unit, or, if that is not available, then FCI El Reno.

**SIGNED this the 25th day of January, 2010.**



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE